

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

JONATHAN GAFFERS, individually, and on
behalf of others similarly situated,

Plaintiffs,

Case No. 16-10128

vs.

Hon. David M. Lawson

KELLY SERVICES, INC.,
a Michigan corporation

Defendant.

SEYFARTH SHAW, LLP.
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DECLARATION OF GERALD L. MAATMAN, JR.

I, Gerald, L. Maatman, Jr., based on my personal knowledge and pursuant to 28 U.S.C. §
1746, declare as follows:

1. I am an attorney at Seyfarth Shaw LLP, and I am lead counsel for Defendant
Kelly Services, Inc. ("Kelly") in this matter.

2. I make this declaration based on my personal knowledge and based on my review of information compiled for me by lawyers and paralegals acting under my professional supervision.

3. I submit this declaration in support of Defendant Kelly Services, Inc.'s Opposition in Response to Plaintiff's Motion for Conditional Certification.

4. A true and correct copy of several screenshots from the Sommers Schwartz Facebook page from January 20, 2016, including comments from individuals regarding a post regarding Kelly on that page, last viewed on April 21, 2016, is attached hereto as Exhibit 1.

5. The Facebook posts about Kelly on Exhibit 1 links to the Sommers Schwartz Blog. A true and correct copy of the content that appears on the Sommers Schwartz Blog after clicking on the link is attached hereto as Exhibit 2.

6. On January 23, 2016, I sent correspondence to Plaintiff's counsel informing them that I represented Kelly and to request that they cease and desist from soliciting Kelly's current and former employees, including through their Facebook page. Attached hereto as Exhibit 3 is a true and correct copy of my January 23, 2016 correspondence to Plaintiff's counsel.

7. On January 26, 2016, I became aware that Plaintiff had posted to Sommers Schwartz's Facebook page regarding this lawsuit. Attached hereto as Exhibit 4 is a screenshot of the January 26, 2016 Facebook post by Plaintiff, which has since been deleted.

8. Prior to filing the Motion for Conditional Certification on January 29, 2016, Plaintiff's counsel did not reach out to me or my co-counsel at Seyfarth Shaw LLP regarding the Motion. And, after I filed my appearance in this case on February 12, 2016, Plaintiff's counsel did not reach out to me to discuss the Motion. As of this date, Plaintiff's counsel has not attempted to meet and confer with me regarding the Motion for Conditional Certification.

9. Attached hereto as Exhibit 5 is a summary chart of the pre-shift log-in steps alleged by each of the Declarants in support of Plaintiff's Motion for Conditional Certification.

10. Attached hereto as Exhibit 6 is a summary chart of the post-shift log-out steps alleged by each of the Declarants in support of Plaintiff's Motion for Conditional Certification.

11. Attached hereto as Exhibit 7 is a summary chart of alleged daily log-in and log-out times alleged by each of the Declarants in support of Plaintiff's Motion for Conditional Certification.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: April 22, 2016

/s/ Gerald L. Maatman, Jr.

Gerald L. Maatman, Jr.